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OFFICE OF PETITIONS

In re Application of :
Eric Thomas Gohr et al :
Application No. 10/740,074 : **ON PETITION**
Filed: December 17, 2003 :
Attorney Docket No. 08CL5989-7 :

This is a decision on the petition under 37 CFR 1.137(b), filed September 1, 2005, and resubmitted on October 18, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed December 22, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on March 23, 2005.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a Request for Continued Examination (RCE); (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office action of December 22, 2004 is accepted as having been unintentionally delayed.

The second RCE fee of \$790 is unnecessary and will be credited to Deposit Account No. 07-0893 as authorized.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (571) 272-3220.

This matter is being referred to Technology Center AU 1714.

Wan Laymon
Wan Laymon
Petitions Examiner
Office of Petitions